

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

**Proposing rule making related to deer hunting
and providing an opportunity for public comment**

The Natural Resource Commission (Commission) hereby proposes to amend Chapter 94, “Nonresident Deer Hunting,” and Chapter 106, “Deer Hunting by Residents,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code sections 455A.5(6)“a,” 481A.39 and 481A.48.

State or Federal Law Implemented

This rule making implements, in whole or in part, Iowa Code sections 481A.38, 481A.39 and 481A.48.

Purpose and Summary

Chapters 94 and 106 govern deer hunting by nonresidents and residents in the state of Iowa. Collectively, these chapters regulate deer hunting and set forth season dates, bag limits, possession limits, shooting hours, areas open to hunting, licensing procedures, means and methods of take, and transportation and reporting requirements.

This rule making proposes one amendment to Chapter 94 and three amendments to Chapter 106. First, license requirements for nonresident hunters under the age of 16 are clarified in Chapter 94 by directly citing Iowa Code section 483A.24(8). This statute allows persons under the age of 16 to have only a nonresident deer hunting license for deer hunting. Other nonresidents must purchase a deer hunting license along with a general hunting license and pay the wildlife habitat fee. Second, Monroe County is added to Chapter 106’s list of counties eligible for a January antlerless-deer-only season. Third, antlerless-deer-only county quotas are modified to increase harvest in central and southern Iowa, where the wild herd is above population goals. Conversely, quotas are modified for far western Iowa to decrease harvest where populations are below goals and hunter effort is waning. Lastly, centerfire rifles .240 to .350 are added to the list of approved rifles for the January antlerless-deer-only season.

Fiscal Impact

This rule making has no negative fiscal impact to the State of Iowa. A copy of the fiscal impact statement is available from the Department of Natural Resources (Department) upon request.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found. A copy of the jobs impact statement is available from the Department upon request.

Waivers

This rule is subject to the waiver provisions of 571—Chapter 11. Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Commission for a waiver of the discretionary provisions, if any.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Department no later than 4:30 p.m. on March 29, 2022. Comments should be directed to:

Tyler Harms
Iowa Department of Natural Resources
Wallace State Office Building
502 East Ninth Street
Des Moines, Iowa 50319
Email: tyler.harms@dnr.iowa.gov

Public Hearing

A public hearing at which persons may present their views orally will be held via conference call as follows. Persons who wish to attend the conference call should contact Chris Ensminger, wildlife research supervisor, via email at chris.ensminger@dnr.iowa.gov. A conference call number will be provided prior to the hearing. Persons who wish to make oral comments at the conference call public hearing must submit a request to Mr. Ensminger prior to the hearing to facilitate an orderly hearing.

March 29, 2022
12 noon to 1 p.m.

Video/conference call

Persons who wish to make oral comments at the public hearing will be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the hearing and have special requirements, such as those related to hearing impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making actions are proposed:

ITEM 1. Amend rule 571—94.1(483A), introductory paragraph, as follows:

571—94.1(483A) Licenses. Every hunter, except as authorized by Iowa Code section 483A.24(8), must have in possession a valid nonresident deer license, a valid nonresident hunting license, and proof that the hunter has paid the current year's wildlife habitat fee when hunting, possessing, or transporting deer. No person, while hunting deer, shall carry or have in possession any license or transportation tag issued to another person. No one who is issued a deer hunting license and transportation tag shall allow another person to use or possess that license or transportation tag while deer hunting or tagging a deer.

ITEM 2. Amend subrule 106.1(6) as follows:

106.1(6) January antlerless-deer-only licenses. Licenses for the January antlerless-deer-only season may be issued for the following counties: Allamakee, Appanoose, Decatur, Monroe, Wayne, and Winneshiek. January antlerless-deer-only licenses shall be issued for a county only when a minimum of 100 antlerless-deer-only licenses, as described in subrule 106.6(6), remain unsold in that county as of the third Monday in December. If 100 or more antlerless-deer-only licenses remain unsold for a given county as of the third Monday in December, those remaining antlerless-deer-only licenses

shall be made available for the January antlerless-deer-only season in that county until the relevant antlerless-deer-only quota as described in subrule 106.6(6) is met.

ITEM 3. Amend subrule 106.6(6) as follows:

106.6(6) Antlerless-deer-only licenses. Paid antlerless-deer-only licenses will be available by county as follows:

County	Quota	County	Quota	County	Quota
Adair	1200	Floyd	150	Monona	750 <u>500</u>
Adams	1000	Franklin	0	Monroe	2250 <u>2500</u>
Allamakee	3800	Fremont	400 <u>0</u>	Montgomery	500
Appanoose	2700	Greene	0 <u>100</u>	Muscatine	900
Audubon	0	Grundy	0	O'Brien	0
Benton	325	Guthrie	2150 <u>2350</u>	Osceola	0
Black Hawk	0	Hamilton	0	Page	500 <u>300</u>
Boone	300 <u>400</u>	Hancock	0	Palo Alto	0
Bremer	300	Hardin	0	Plymouth	0
Buchanan	400	Harrison	750 <u>500</u>	Pocahontas	0
Buena Vista	0	Henry	1050	Polk	1350
Butler	200	Howard	450	Pottawattamie	750 <u>500</u>
Calhoun	0	Humboldt	0	Poweshiek	200
Carroll	0	Ida	0	Ringgold	1400 <u>1600</u>
Cass	400 <u>300</u>	Iowa	450	Sac	0
Cedar	775	Jackson	1100	Scott	200
Cerro Gordo	0	Jasper	575 <u>400</u>	Shelby	0
Cherokee	0	Jefferson	1500	Sioux	0
Chickasaw	375	Johnson	950	Story	150
Clarke	2400	Jones	1100	Tama	300
Clay	0	Keokuk	500	Taylor	1500
Clayton	4000	Kossuth	0	Union	1400
Clinton	400	Lee	1700	Van Buren	2100 <u>2300</u>
Crawford	0	Linn	850	Wapello	1600
Dallas	2100	Louisa	775	Warren	3000
Davis	1700 <u>1900</u>	Lucas	2500	Washington	1000
Decatur	2200 <u>2400</u>	Lyon	0	Wayne	2700
Delaware	950	Madison	3300	Webster	0
Des Moines	900	Mahaska	475	Winnebago	0
Dickinson	0	Marion	2050	Winneshiek	2700
Dubuque	1200	Marshall	150	Woodbury	200 <u>0</u>
Emmet	0	Mills	300 <u>150</u>	Worth	0
Fayette	2500	Mitchell	100	Wright	0

ITEM 4. Amend subrule 106.7(5) as follows:

106.7(5) January antlerless-deer-only season. Bows, crossbows, shotguns, muzzleloaders, rifles (including centerfire rifles .240 to .350), and handguns, as each is described in this rule, may be used during the January antlerless-deer-only season.